



NORTON CITY COUNCIL
SPECIAL COUNCIL MEETING
MONDAY, AUGUST 16, 2004

Roll Call:	John Conklin	Also Present:	Mayor Kernan
	Brenda Hlas		Claude Collins
	Bill Mowery		Jeanne Zerga
	Dennis McGlone		Jeff Pritchard
	Scott Pelot		Mike Lyons
	James Price		Karla Richards
	Mike Zita		

The Special Council Meeting convened for a meeting on Monday, August 16, 2004 at 8:06 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by John Conklin, President of Council. Following a salute to the flag and the pledge of allegiance, there was a moment of silent prayer.

COMMITTEE OF THE WHOLE:

Mr. Pelot moved to add Ordinance #100-2004 to tonight agenda, seconded by Mr. Price.

Roll Call: Yeas: Pelot, Price, McGlone, Mowery, Zita, Hlas, Conklin
Nays: None

Motion passed 7-0.

Mr. Pelot moved to add Ordinance #101-2004 to tonight's agenda, seconded by Mr. Price.

Roll Call: Yeas: Pelot, Price, McGlone, Mowery, Zita, Hlas, Conklin
Nays: None

Motion passed 7-0.

INTRODUCTION OF NEW LEGISLATION:

Ordinance #100-2004

Mr. Pelot offered Ordinance #100-2004 for its first reading, and asked the Clerk to read it.

AN ORDINANCE RECLASSIFYING PROPERTY LOCATED AT FAIRLAND ROAD, FROM R-1 ONE-FAMILY RESIDENTIAL DISTRICT TO R-3 ONE-FAMILY RESIDENTIAL DISTRICT.

First reading only. Mr. Conklin advised everyone that there would be a public hearing for this ordinance on September 7, 2004 at 8:15 PM along with the 3rd reading.

INTRODUCTION OF NEW LEGISLATION CONTINUED:

Ordinance #101-2004

Mr. Pelot offered Ordinance #101-2004 for its first reading, and asked the Clerk to read it.

AN ORDINANCE TO RECLASSIFY PROPERTY LOCATED AT THE SOUTHEAST QUADRANT OF GREENWICH ROAD AND MEDINA LINE ROAD, FROM RU-1 RURAL RESIDENTIAL DISTRICT AND I-1 LIGHT INDUSTRIAL DISTRICT TO R-3 ONE-FAMILY RESIDENTIAL DISTRICT AND TO APPLY THE CLASSIFICATION OF R-PC PLANNED CLUSTER RESIDENCE DISTRICT AS AN OVERLAY TO THE R-3 ONE-FAMILY RESIDENTIAL DISTRICT.

First reading only. Mr. Conklin advised everyone that there would be a public hearing for this ordinance also on September 7, 2004 at 8:15 PM along with the 3rd reading.

PRIOR LEGISLATION:

Ordinance #98-2004.

Mr. Conklin explained this ordinance, and that he has received a written request from Mr. Gainer to speak this evening. Unless there was an objection Mr. Conklin intended to permit Mr. Gainer to speak after Mayor Kernan gave his comments, there was no objection to Mr. Gainer speaking. Mayor Kernan stated that contrary to some beliefs, Ordinance #60-2004 is NOT a levy on a tax. Mayor Kernan stated that some residents have referred to a specific Charter section, however, this does not apply since a credit roll back is not a new tax levy. A levy is when you add or impose a new tax, Council has the right to adjust the credit, and that we have not violated the Ohio Revised code as implied. Mayor Kernan stated that he just received a ruling on a similar situation as researched by our Law Director today, and stated that Council does have the authority to adjust the tax credit. Mayor Kernan stated that as far as the Administration holding the petitions after the 10-day requirement, and we were well as to the time frame in reviewing them. Mayor Kernan stated that they were being reviewed for compliance and accuracy before returning them to the Board of Elections. Mayor Kernan stated the reason for this Ordinance is that there are too many tax issues on the ballot at one time and we need to take one step at a time, and not to do too much at once. Mr. Gainer spoke regarding his concerns, which he admitted most of which has already been address, but read his statement anyway, (see attached). Mr. Keith Hetrick of 3300 Glenbrook Drive, Norton, spoke regarding Ordinance #98-2004. Mr. Hetrick felt that what we are doing is asking the 12% to that are already paying to continue to pay more. Mr. Hetrick also stated that of course there would be 88 % in favor of this because it will not affect them. There was discussion as to the proper procedure and votes, and Mr. Conklin clarified with Mr. Lyons that we need to vote on three items. One to amend the legislation to add the emergency language, another to waive the 3rd reading, and a final vote to adopt.

Mr. Price moved to amend the legislation on Ordinance #98-2004 adding emergency language, seconded by Mrs. Hlas.

PRIOR LEGISLATION CONTINUED:

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
Nays: None

Motion passed 7-0.

ORD #98-2004

Mr. Price offered Ordinance #98-2004 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SUBSECTION 880.16 OF THE CITY OF NORTON ADMINISTRATIVE CODE TO RESTORE THE CREDIT ALLOWED ON MUNICIPAL INCOME TAX PAID BY RESIDENTS TO ANOTHER MUNICIPALITY TO FULL CREDIT AND TO RESCIND ORDINANCE NO. 60-2004.

Mr. Price moved to suspend the 3rd reading of Ordinance #98-2004, seconded by Mrs. Hlas.

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
Nays: None

Motion passed 7-0.

Mr. Price moved to adopt Ordinance #98-2004, seconded by Mrs. Hlas.

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
Nays: None

Motion passed 7-0.

OLD BUSINESS:

Mrs. Hlas made some comments regarding the tax issues and the November election, (see attached).

ADJOURN:

There being no further business to come before it, Council adjourned the meeting at 8:43 PM.

John Conklin, President of Council

I, Karla D. Richards, Clerk of Council of the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Meeting of Council, held on Tuesday, August 23, 2004.

Karla D. Richards, Clerk of Council

****THESE MINUTES ARE NOT VERBATIM. THE AUDIOTAPE WILL BE ARCHIVED IN THE CLERK OF COUNCIL'S OFFICE****